("Defendant") for the dismissal of the entire action pursuant to FRCP, Rule 41(a)(1) and good cause being found:

IT IS ORDERED that the entire action is dismissed with prejudice with each side bearing its own costs and attorney's fees except as otherwise provided in the Parties' confidential settlement agreement.

DATE: ____11/30/____, 2012

UNITED STATES DISTRICT COURT

PHILIP S. GUTIERREZ

THE HON. PHILIP S. GUTIERREZ